

REMARKS

Claims 15-34 were previously pending in the application. Claims 15-24 and 29-34 have been withdrawn. This Amendment amends claim 25 and adds new claims 35-42. Claims 15-24 and 26-34 remain unchanged. No new matter is added by this Amendment. Claims 15, 25, 29, and 41 are independent.

The Election / Restriction Requirement

Claims 15-24 and 29-34 have been withdrawn from further consideration as being drawn to a nonelected invention. Applicant respectfully traverses this requirement.

Contrary to the assertions in the Office Action, the Election/Restriction Requirement fails to make a *prima facie* showing of a separate classification and different field of search. Neither the Election / Restriction Requirement dated December 15, 2010, nor the Office Action dated January 28, 2011, identifies a classification or field of search.

Moreover, Applicant respectfully submits that the Election/Restriction Requirement should be withdrawn because of a lack of a serious burden. All of the claims in the present application are sufficiently related that searching and examining of all claims does not present a serious burden to the Examiner.

Applicant respectfully requests withdrawal of this Election/Restriction Requirement.

Should the Election/Restriction Requirement be maintained and all of the elected claims are found to be in condition for allowance, Applicant respectfully requests rejoinder and allowance of all the claims under M.P.E.P. § 821.04.

The Rejection under 35 U.S.C. § 112, second paragraph

The Office Action rejects claims 25-28 under 35 U.S.C. 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

This Amendment amends independent claim 25 to particularly point out and distinctly claim the subject matter which applicant regards as the invention, thereby overcoming this rejection.

For at least these reasons, claims 25-28 are clear and definite. Applicant respectfully requests withdrawal of this rejection.

The Claimed Invention

An exemplary embodiment of the claimed invention, as recited by, for example, independent claim 25, is directed to a washing machine comprising a laundry drum, a drive motor intermittently driving the laundry drum during the washing and rinsing process in alternating directions of rotation, the laundry drum being rotated in a first phase, in which the laundry drum is accelerated in one direction of rotation to a first rotational speed above an applicational rotational speed and in the other direction of rotation to a second rotational speed below the applicational rotational speed, wherein the circumferential speed of the laundry drum at the first rotational speed is approximately 3.7 m/s and at the second rotational speed less than about 1.0 m/s, the laundry drum being rotated in a second phase within at least one of the washing and rinsing process, in which the laundry drum is accelerated in the second phase of high washing mechanics in both directions of rotation wherein the circumferential speed of the laundry drum at the speed for high washing mechanics of the second phase lies in the interval of about 1.1 to 1.6 m/s and that the first and second phases take place successively at least once during at least one of the washing and rinsing process, and a speed control device for the drive motor of the laundry drum generating control signals for the drive motor such that the laundry drum is intermittently driven in alternating directions of rotation at respectively different speeds.

In this manner, the claimed invention provides a washing machine that provides high wash mechanics for cleaning non-delicate laundry and good redistribution of the laundry particularly with large loads, thereby improving the uniform washing effect of a

laundry batch and reducing the consumption of water, washing agent and energy. See, e.g., page 2, lines 20-29.

The Rejections under 35 U.S.C. §§ 102 / 103

Claims 25-28 are rejected under 35 U.S.C. §102 (b) as being anticipated by the Ortega reference (EP 781881), or in the alternative, under 35 U.S.C. § 103(a) as being unpatentable over the Ortega reference.

Applicant respectfully traverses these rejections.

Applicant respectfully submits that the Ortega reference does not disclose or suggest all of the features of independent claim 25. For example, the Ortega reference does not disclose a speed control device that generates control signals for the drive motor such that the drive motor drives the laundry drum at the claimed speeds.

The Ortega reference discloses a method of washing and rinsing that includes a phase of rotating the drum alternately in both directions to achieve washing mechanics, and a phase in which the drum is accelerated to a speed of 300 to 400 r/min (speed value N3). See, e.g., paras. [0023] and [0024]. The speed of 300 to 400 r/min is higher than the speed disclosed in the present invention. The problem with such a high speed, as taught by the Ortega reference, is that the clothes will form such a tightly packed ring on the inside of the drum that the individual items of clothing are unlikely to fall off even when the drum comes to a standstill, thereby making a redistribution of the clothes inside the drum difficult to achieve.

In stark contrast, the present invention provides a redistribution of the clothes inside the drum by selecting as a first rotational speed in the first phase a circumferential speed of 3.7 m/s, which is higher than the speed at which the laundry will adhere to the drum but not as high as the usual speed for expelling water from the clothes (e.g., as disclosed in the Ortega reference). In this manner, the movement of the drum at the second rotational speed (i.e., less than about 1.0 m/s) in the first phase is sufficient to loosen the items of clothing and to efficiently redistribute the items of clothing inside the drum.

The Ortega reference very clearly does not disclose these features. Indeed, the Ortega reference very clearly fails to disclose a drive motor intermittently driving the laundry drum during the washing and rinsing process in alternating directions of rotation, the laundry drum being rotated in a first phase, in which the laundry drum is accelerated in one direction of rotation to a first rotational speed above an applicational rotational speed and in the other direction of rotation to a second rotational speed below the applicational rotational speed, wherein the circumferential speed of the laundry drum at the first rotational speed is approximately 3.7 m/s and at the second rotational speed less than about 1.0 m/s, the laundry drum being rotated in a second phase within at least one of the washing and rinsing process, in which the laundry drum is accelerated in the second phase of high washing mechanics in both directions of rotation wherein the circumferential speed of the laundry drum at the speed for high washing mechanics of the second phase lies in the interval of about 1.1 to 1.6 m/s and that the first and second phases take place successively at least once during at least one of the washing and rinsing process, and a speed control device for the drive motor of the laundry drum generating control signals for the drive motor such that the laundry drum is intermittently driven in alternating directions of rotation at respectively different speeds, as recited in claim 25.

Thus, the Ortega reference does not disclose or suggest a speed control device that generates control signals for the drive motor such that the drive motor drives the laundry drum at the claimed speeds.

For at least these reasons, the Ortega reference does not anticipate or render obvious the features of independent claim 25.

Claims 26-28 are patentable over the Ortega reference by virtue of their dependency from claim 25, as well as for the additional features recited therein.

Applicant respectfully requests withdrawal of this rejection.

New Claims

New claims 35-42 are added. No new matter is added. See, e.g., page 7, lines 1-12; page 8, lines 21-36; and page 9, lines 1-5; Figures 1-5b.

None of the applied references discloses or suggests the subject matter defined by claims 35-42 for at least the same reasons as independent claim 25, as well as for the additional features recited in claims 35-42. Applicant respectfully requests allowance of these claims.

CONCLUSION

In view of the above, entry of the present Amendment and allowance of Claims 15-42 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted,

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